

PROB 12B
(PAWP 4/16)

UNITED STATES DISTRICT COURT
for the
WESTERN DISTRICT OF PENNSYLVANIA

Request for Modifying the Conditions or Term of Supervision
(To Satisfy a Condition of Supervised Release)

Offender:	Alberto Solano	Docket No.: 2:20CR00353
Sentencing Judge:	Susan D. Wigenton (District of New Jersey)	
Assigned Judge:	Cathy Bissoon, United States District Judge	
Date of Original Sentence:	January 20, 2012	
Original Offense:	Conspiracy to Distribute Cocaine	
Original Sentence:	120 months of imprisonment; 5 years of supervised release	
Special conditions:	Alcohol Restrictions, Alcohol Treatment, Drug Treatment, Substance Abuse Testing, Mental Health Treatment, Special Assessment	
Type of Supervision:	Supervised Release	Date Supervision Commenced: May 15, 2020
Prior Court History:	<u>December 23, 2020</u> : Report on Offender filed seeking the satisfaction of the offender's substance abuse treatment condition.	

PETITIONING THE COURT

☒ To **Satisfy** the condition of supervision, which reads in part, as follows:

"You shall refrain from the illegal possession and use of drugs, including prescription medication not prescribed in your name, and the use of alcohol, and shall submit to your analysis or other forms of testing to ensure compliance. It is further order that you shall submit to evaluation and treatment, on an outpatient or inpatient basis, as approved by the US probation office. You shall abide by the rules of any program and shall remain in treatment until satisfactorily discharged by the court. You show alert all medical professionals have any prior substance abuse history, including any prior history of prescription drug abuse. The probation officer shall supervise your compliance with this condition."

CAUSE

Mr. Solano was sentenced in the District of New Jersey on January 20, 2012. He was released from custody and began his term of supervised release in the Western District of Pennsylvania on May 15, 2020. A request to transfer jurisdiction from the District of New Jersey to the Western District of Pennsylvania was initiated on October 9, 2020 and was completed on November 16, 2020. At that time, the case was opened in the Western District of Pennsylvania and the above docket number was created.

Additional Condition # 5 in Mr. Solano's Judgement and Commitment Order reads as noted above and orders him to submit to evaluation and treatment for substance abuse. Although the probation office has no current concern that Mr. Solano has a need for a substance abuse evaluation, as since the beginning of his supervision he has provided all negative drug tests, established his own business, moved his family into a new home, and has remained in regular communication with his probation officer, his conditions necessitated his completion of a substance abuse evaluation and compliance with treatment. On December 22, 2020, Mr. Solano received his required substance abuse evaluation and that same date, the probation officer received a letter from the offender's treatment provider at Renewal, Inc., indicating that no treatment was recommended.

Therefore, the probation officer recommends that Mr. Solano's above-noted condition be satisfied at this time, as no treatment has been recommended and the condition indicates that only the Court can discharge the defendant from the treatment obligation. However, it is noted, that if the offender is found to be in need of treatment in the future, the Court will be informed, and he will be referred back for a new substance abuse assessment to evaluate for any appropriate and corresponding treatment needs. The Waiver of Hearing to Modify

Offender: Alberto Solano
Docket No.: 2:20CR00353
Page 2

Conditions of Supervised Release (Probation Form 49) was not signed, as the relief sought is favorable to Mr. Solano and does not extend the term of supervised release.

I declare under penalty of perjury that the foregoing is true and correct.

Respectfully Submitted,

By: _____
Kristie McVay
U.S. Probation Officer

Approved By: _____
Alexis Zellefrow
Supervisory U.S. Probation Officer
Date: _____ 1/4/2021

THE COURT ORDERS:

- ☐ No Action
- ☐ The extension of supervision as noted above.
- ☐ The Modification of conditions as noted above
- ☐ Other

Cathy Bissoon, United States District Judge

Date